

REMARKS

Claims 91-119 are all the claims pending in the application, claims 1-90 having been cancelled, and claims 91-119 having been added by the present amendment. Claims 91, 100, and 112 are the only independent claims.

As a preliminary matter, Applicant notes that the Office Action did not indicate whether or not the originally filed drawings have been accepted. Applicant respectfully requests such an indication on the next communication from the USPTO on this application.

Applicant further notes that the Office Action does not acknowledge the IDS and accompanying 1449 forms previously submitted on February 28, 2005. Applicant respectfully requests that the Examiner provide signed and acknowledged 1149 forms in the next communication.

In another preliminary matter, Applicant notes that the Office Action does not acknowledge Applicant's claim for domestic priority under 35 U.S.C § 119(e), or the claim for foreign priority to previous filed Korean patent application. These priority claims have been noted on the Official Filing Receipt. Accordingly, Applicant respectfully requests that the Examiner provide the appropriate priority acknowledgements.

Claims 1-90 stand rejected under 35 U.S.C. §102(e) as being anticipated by Dorrell (U.S. patent 6,714,202). Claims 1-90 have been cancelled in the present amendment, thereby rendering moot the rejection to these claims.

Newly submitted claims 91-119 have not been formally rejected by the Examiner. However, Applicant provides the following comments relating to the patentability of these new claims. First of all, support for these claims may be found in, for example, paras. [0054] though [0062] of the published patent application. See also FIGS. 2 and 3. No new matter has been added.

There are several differences between the system disclosed in the Dorrell patent and the claimed invention. First of all, using claim 91 as an example, a method is recited which includes “constructing picture data comprising a multimedia network graphic (MNG) file in chunk data format.” This claim further recites “wherein said MNG file comprises a header portion, a graphics file, and an end portion.” Note further that claim 91 recites “wherein said graphics file comprises a graphics header, image data, and a graphics end portion.”

Dorrell is directed toward an entirely different type of method, and in particular relates to a method for encoding animation in an image file. Figs. 2 and 3 of Dorrell depict the file format utilized in the Dorrell system. These figures were also referred to in the Office Action.

Fig. 2 shows the beginning of a file as having header information 210. In addition, each layer in the file has an associated control block 220. (Dorrell col. 7, lines 51-52). The illustrated file includes “CB” followed by a numeral N. “The numeral N indicates a correspondence between the Nth control block and the Nth layer.” (Dorrell col. 7, lines 53-55). Each control block (CB) contains a plurality of information fields regarding a layer corresponding to a control block. (Dorrell col. 8, lines 21-23). Dorrell describes the various layers of the file as follows:

“Image layers may be encoded using standard or proprietary coding schemes or may simply be represented as a sequence of raw pixel values. For example, each layer in the file format can individually be encoded using a Wavelet based encoding scheme or alternatively JPEG (Joint Picture Expert Group) compression can be used on each layer.” (Dorrell col. 7, lines 61-67).

With regard to claim 91, Applicant assumes, for the sake of argument, that header 210 discloses “said MNG file comprises a header portion,” and that layer 230 discloses a “graphics file” and “image data.” Even if this were true, layer 230 (graphics file) does not comprise “a graphics header” or “a graphics end portion” as recited in claim 91. Dorrell therefore discloses,

at best, layer 230 (graphic file) comprising image data, but does not teach or suggest that layer 230 comprises “a graphics header” or a “graphics end portion.”

Another distinction is that the file structure of Dorrell discloses only a single header 210. In contrast, claim 91 requires that “said MNG file comprises a header portion” and that “said graphics file comprises a graphics header.” At best, the file structure of Dorrell only can disclose one, but not both, of the identified headers recited in claim 91.

Yet another difference is that the structure of the Dorrell file format does not include an “end portion.” Consequently, Dorrell cannot teach or suggest that “said MNG file comprises ... an end portion,” or that “said graphics file comprises ... a graphics end portion” as recited by claim 91.

For at least these reasons, claim 91 is believed to be patentable over Dorrell. Independent claims 100 and 112 include language similar to claim 91, and therefore these claims are also believed to be patentable over Dorrell for at least the reasons set forth above. Dependent claims 92-99, 101-111, and 113-119 are also patentable at least by virtue of their dependence upon their respective independent claims.

CONCLUSION

In light of the above remarks, Applicant submits that the present Amendment places all claims of the present application in condition for allowance. Reconsideration of the application is requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California, telephone number (213) 623-2221 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,

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